

Carlos Hernández
Mayor

Vivian Casáls-Muñoz
Council President

Jose F. Caragol
Council Vice President



Council Members
Katharine Cue-Fuente
Isis Garcia-Martinez
Paul B. Hernández
Lourdes Lozano
Carl Zogby

City Council Agenda November 13, 2018 7:00 P.M.

Call to Order

Roll Call

Invocation given by Marbelys Fatjo, City Clerk

Pledge of Allegiance to be led by Councilman Paul Hernandez

MEETING GUIDELINES

The following guidelines have been established by the City Council:

- **ALL LOBBYISTS MUST REGISTER WITH THE CITY CLERK**
- As a courtesy to others, please refrain from using cellular telephones or other similar electronic devices in the Council Chamber.
- A maximum of three (3) speakers in favor and three (3) speakers in opposition will be allowed to address the Council on any one item. Each speaker's comments will be limited to three (3) minutes.
- No signs or placards, in support of or in opposition to an item or speaker, shall be permitted within the Council Chamber.
- Members of the public may address the City Council on any item pertaining to City business during the Comments and Questions portion of the meeting. A member of the public is limited to one appearance before the City Council and the speaker's comments will be limited to three (3) minutes.

1. PRESENTATIONS

- Presentation by Hialeah Police Chief Sergio Velazquez of Certificates of Appreciation to Sergeant Ramiro Del Nodal, Detective Roque Goitia, Detective Luis Salas, Alexis Barrios and Detective Katherine Montenegro, for apprehending a Cat Bugler who has been an issue in our City since 2007. Because of the hard work of these police officers, the offender was sentenced to thirty years in prison for four committed burglaries and sentenced to life in prison for an armed burglary he committed. (POLICE DEPARTMENT)
- Presentation by Hialeah Police Chief Sergio Velazquez recognizing Vista Memorial for always giving back to the community. (POLICE DEPARTMENT)

2. ELECTION OF COUNCIL PRESIDENT AND COUNCIL VICE PRESIDENT

- 2A. Election of Council President** pursuant to §3.01 (c) of the Hialeah Charter.
- 2B. Election of Council Vice President** pursuant to §3.01 (c) of the Hialeah Charter.

3. ANNOUNCEMENT OF AMENDMENTS/CORRECTIONS TO THE AGENDA

4. CONSENT AGENDA

All items listed with letter designations are considered routine and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember, the Mayor or a resident so requests, in which case the item will be removed from the consent agenda and considered along with the regular order of business.

- A.** Request permission to approve the minutes of the Council Meeting held on October 23, 2018. (OFFICE OF THE CITY CLERK)
- B.** Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. FSA18-VEL 26.0, to purchase the following vehicles from AN Motors of Pembroke, LLC d/b/a Autonation Chevrolet Pembroke Pines, in a total cumulative amount not to exceed \$129,525:
 - Two (2) 2019 Chevy Tahoe (1FL) – CC15706, Specification No. 31, in a total amount of \$38,026 per vehicle
 - Two (2) 2019 Chevrolet Traverse LS-Mid-Size 4-Door Utility Vehicles- 4WD or AWD, Specification #30, in a total amount of \$26,738 per vehicle.

Further request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. FSA18-VEL 26.0, to purchase the following vehicles from Alan Jay Chevrolet Cadillac, Inc. d/b/a Alan Jay Chevrolet Buick GMC Cadillac, in a total

cumulative amount not to exceed \$292,728:

- Eight (8) 2019 GMC Sierra 1500 1SA - ½ Ton Crew Cab Pickup Truck - 4X2, Specification No. 57, in a total amount of \$26,684 per vehicle
- Three (3) 2019 GMC Canyon 2WD - Compact Crew Cab Pickup Truck - 4X2, Specification No. 51, in a total amount of \$23,444 per vehicle
- One (1) 2019 Chevrolet Impala LS 1FL - Full Size 4-Door Administrative Vehicles, Specification No. 18, in a total amount of \$21,087 per vehicle.

Further request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. FSA18-VEL 26.0, to purchase the following vehicle Asbury Jax Ford, LLC d/b/a Coggin Ford, in a total cumulative amount not to exceed \$28,046:

- One (1) 2019 Ford F-150 XL (W1C), Specification No. 57.

(BUILDING DEPT.)

- C. Request permission to waive competitive bidding, since it is advantageous to the City in that Hialeah Bid No. 2017/18-3230-00-003 – *Walker Park – Selective Demolition and Stucco* was rejected because the bids submitted exceeded the City's budget for the scope of work, and issue a purchase order to Duenas & Gutierrez Plaster, Inc., vendor providing the lowest quotation, in the amount of \$41,000, and further request for approval of a contingency in the amount of \$15,000 for any unforeseen conditions that may arise during the project, for a total cumulative amount not to exceed \$56,000. (CONSTRUCTION AND MAINTENANCE DEPT.)
- D. Request permission to waive competitive bidding, since it is advantageous to the City in that Hialeah Bid No. 2017/18-3230-00-004 – *Walker Park – Painting and Waterproofing Construction & Maintenance Department* was rejected because two of the bids submitted exceeded the City's budget for the scope of work and one bid submitted was not considered responsible, and issue a purchase order to I.D. Painting Corp., vendor providing the lowest quotation, in the amount of \$35,000, and further request for approval of a contingency in the amount of \$3,500 for any unforeseen conditions that may arise during the project, for a total cumulative amount not to exceed \$38,500. (CONSTRUCTION AND MAINTENANCE DEPT.)
- E. Request permission to waive competitive bidding, since it is advantageous to the City, and issue a purchase order to Top Seal Services Corp, vendor providing the lowest quotation, for roofing repairs at Walker Park, in the amount of \$19,500, and further request for approval of a contingency in the amount of \$1,950 for any unforeseen conditions that may arise during the project, for a total cumulative amount not to exceed \$21,450. (CONSTRUCTION AND MAINTENANCE DEPT.)
- F. Request permission to utilize Florida Sheriffs Association & Florida Association of Counties Bid No. FSA18-VEL 26.0 to purchase three (3) 2019 Chevy Express LS 3500 (CG33706), 15 Passenger Van Low/STD Roof, Specification No. 45, from AN Motors of Pembroke, LLC d/b/a Autonation Chevrolet Pembroke Pines, in the amount of \$27,484 per vehicle, for a total cumulative amount not to exceed \$82,452. (DEPARTMENT OF PARKS AND RECREATION)
- G. Request permission to waive competitive bidding, since it is advantageous to the City, and

issue a purchase order to God is Good, Corp., vendor providing the lowest quotation, for the renovations at McDonald Water Park which will include pressure cleaning of all structures in McDonald water park to include the main building, racquetball courts, pool exterior restrooms, pump room, concessions stand, bridge located by the lazy river and perimeter picket fence and columns, as well as the repainting of all structures located within the water park, in a total cumulative amount not to exceed \$35,100. (DEPARTMENT OF PARKS AND RECREATION)

- H.** Proposed resolution approving a Professional Services Agreement between the City of Hialeah and Nexlore, LLC. to provide art classes to the participants of the Therapeutics Enrichment Program, for a term commencing on November 19, 2018 and ending on September 11, 2019, in an amount not to exceed \$4,680.00; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Professional Services Agreement attached hereto in substantial form, and made a part hereof as Exhibit “1”. (EDUCATION AND COMMUNITY SERVICES DEPARTMENT)
- I.** Proposed resolution accepting and approving the renewal of the Florida’s Twenty-First (21st) Century Community Learning Centers Grant to fund the Young Leaders with Character Steam Ahead Afterschool and Summer Programs, operating out of three 21st Century Community Learning Centers sites, for students from grades 6 through 8, in the amount of \$367,524.00 for the fifth year of funding, commencing on August 1, 2018 and ending on July 31, 2019; ratifying the grant agreement; and further authorizing the Mayor or his designee to execute any and all agreements, documents and subcontracts in furtherance thereof. (EDUCATION AND COMMUNITY SERVICES DEPARTMENT)
- J.** Proposed resolution approving a Professional Services Agreement between the City of Hialeah and Arts for Learning/Miami, Inc. to provide research-based arts programming at six sites, during the 2019 Summer Camp Program, for a term commencing on June 1, 2019 and ending on August 16, 2019, in an amount not to exceed \$12,305.00; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Professional Services Agreement attached hereto in substantial form, and made a part hereof as Exhibit “1”. (EDUCATION AND COMMUNITY SERVICES DEPARTMENT)
- K.** Proposed resolution approving a Professional Services Agreement between the City of Hialeah and Nexlore, LLC. to provide art classes to the participants of the Step Ahead Social Enrichment Program, for a term commencing on November 7, 2018 and ending on September 15, 2019, in an amount not to exceed \$4,980.00; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Professional Services Agreement attached hereto in substantial form, and made a part hereof as Exhibit “1”. (EDUCATION AND COMMUNITY SERVICES DEPARTMENT)
- L.** Proposed resolution approving a Professional Services Agreement between the City of Hialeah and Nexlore, LLC. to provide Zumba classes to the participants of the Step Ahead Social Enrichment Program, for a term commencing on November 13, 2018 and ending on September 18, 2019, in an amount not to exceed \$6,480.00; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Professional Services Agreement attached hereto in substantial form, and made a part hereof as Exhibit “1”. (EDUCATION AND COMMUNITY SERVICES DEPARTMENT)
- M.** Proposed resolution approving a Professional Services Agreement between the City of

Hialeah and Nexlore, LLC., to provide Zumba classes to the participants of the Therapeutics Enrichment Program, for a term commencing on November 5, 2018 and ending on September 25, 2019, in an amount not to exceed \$6,480.00; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute The Professional Services Agreement attached hereto in substantial form, and made a part hereof as Exhibit "1". (EDUCATION AND COMMUNITY SERVICES DEPARTMENT)

- N. Proposed resolution accepting and approving the renewal of the Florida's Twenty-First (21st) Century Community Learning Centers Grant to fund the Young Leaders with Character Academic Achievers Afterschool and Summer Programs, operating out of two 21st Century Community Learning Centers sites, for students from grades 6 through 12, in the amount of \$397,601.00 for the fifth year of funding, commencing on August 1, 2018 and ending on July 31, 2019; ratifying the grant agreement; and further authorizing the Mayor or his designee to execute any and all agreements, documents and subcontracts in furtherance thereof. (EDUCATION AND COMMUNITY SERVICES DEPARTMENT)
- O. Proposed resolution approving a Service Agreement between the City of Hialeah and A. Oliveros, Inc. to provide bus transportation services to the City's Step Ahead Program, for a term commencing on October 1, 2018 and ending on December 21, 2018; and authorizing the Mayor, or his designee, and the City Clerk, as attesting witness, on behalf of the City, to execute the Service Agreement attached hereto in substantial form and made a part hereof as Exhibit "1"; and providing for an effective date. (EDUCATION AND COMMUNITY SERVICES DEPARTMENT)
- P. Proposed resolution approving a Professional Services Agreement between the City of Hialeah and Nexlore, LLC. to provide Zumba classes to the participants of the Creative Learning and Play After School Program, for a term commencing on September 1, 2018 and ending on May 31, 2019, in an amount not to exceed \$10,800.00; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the professional services agreement attached hereto in substantial form, and made a part hereof as Exhibit "1". (EDUCATION AND COMMUNITY SERVICES DEPARTMENT)
- Q. Proposed resolution approving a Professional Services Agreement between the City of Hialeah and Nexlore, LLC. to provide Zumba Gold classes to the participants of the City's Senior Enrichment Program, for a term commencing on October 8, 2018 and ending on September 11, 2019, in an amount not to exceed \$12,960.00; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the Professional Services Agreement attached hereto in substantial form, and made a part hereof as Exhibit "1". (EDUCATION AND COMMUNITY SERVICES DEPARTMENT)
- R. Proposed resolution urging the United States Food & Drug Administration (FDA) to continue to pursue actions to hold E-Cigarette Manufacturers accountable for the accessibility of their products to minors and to expeditiously proceed to enact and enforce regulations prohibiting the sale and marketing of youth-friendly and youth-oriented e-cigarettes to minors in the immediate interest of the health, safety, and welfare of our nation's youth. (EDUCATION AND COMMUNITY SERVICES DEPARTMENT)
- S. Proposed resolution approving the naming at West 48 Street from West 15 Street from West 4 Court to West 6 Avenue, Hialeah, Florida, as "Luis 'Wichy' Rodriguez Way", with the cost of signage to be paid by the City, in his honor, as a Cuban American and a resident

of Hialeah who started “Wichy Towing Service”. (ADMINISTRATION)

- T. Proposed resolution approving the naming at West 48 Street from West 8 Avenue to West 8 Lane Hialeah, Florida, as “Juana Aurora Medina Way”, with the cost of signage to be paid by the City, in her honor as a Cuban American and resident of Hialeah who founded the Nuevo Caminar Ministerio Catolico, a community based nonprofit that helped families rebuild their lives due to the ills of drug addiction. (ADMINISTRATION)
- U. Proposed resolution approving the renewal of a Turf and Landscape Maintenance Department Funded Agreement with the State of Florida, Department of Transportation, for the maintenance of turf and landscape on designated state roads within the corporate limits of the City of Hialeah, for a term of one year, beginning on March 9, 2019 and ending on March 7, 2020, in an amount not to exceed \$142,872.00, in substantial conformity with the agreement attached hereto and made a part hereof as Exhibit “A”; and authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the contract renewal and all other customary and necessary documents to carry out this resolution. (STREETS)
- V. Proposed resolution approving an amendment to a Joint Participation Agreement between Miami-Dade County, Miami-Dade Expressway Authority, the City of Hialeah Gardens, Florida and the City of Hialeah, Florida for the improvement of Northwest 107 Avenue from Northwest 138 Street to Northwest 170 Street, approved by Hialeah, Fla. Resolution No. 2016-115 (October 11, 2016) with an effective date of April 28, 2017, to phase construction and advance county funding for the roadway project, identifying the status of the pending required right of way donations and the ongoing obligation to acquire the necessary right of way by the participating municipalities; authorizing the Mayor and the City Clerk, as attesting witness, on behalf of the City, to execute the amendment to the Joint Participation Agreement, a copy of which is attached hereto and made a part hereof as Exhibit “1”; and providing for an effective date. (STREETS)
- W. Request permission to increase purchase order # 2018-1789, issued to ACTL Group, LLC, for the removal, relocation and replacement of the existing chilled water lines and insulation at the City Hall Gymnasium, by an additional amount of \$11,830, for a new total cumulative amount not to exceed \$44,991. (CONSTRUCTION & MAINTENANCE DEPARTMENT)
- X. Request permission to increase purchase order # 2018-1483, issued to Central Fumigation Department, Inc., for the payment of three remaining invoices for fiscal year 2018 FOR pest control services to the homes of the police canine officers, the police department’s canine facility and police stations one through 5, by an additional amount of \$975, for a new total cumulative amount not to exceed \$15,375. (POLICE DEPARTMENT)
- Y. Request permission to accept a donation from Florida National University for the full renovation of the men’s and women’s locker rooms at Bucky Dent Park, located at 2250 West 60 Street, Hialeah, Florida 33016, for Florida National University men’s and women’s basketball teams, as well as the women’s volleyball team, with the work being done by City’s Construction and Maintenance Department, in a total cumulative amount of \$35,250 with Florida National University being reimbursed should the project come under budget. (DEPARTMENT OF PARKS AND RECREATION)
- Z. Request permission to waive competitive bidding, since it is advantageous to the City in

that this vendor has agreed to maintain the same pricing for fiscal year 2019, and issue a purchase order to Central Fumigation Department, Inc., for the service of pest control services to the homes of the police canine officers, the police department's canine facility, and police stations one through five for fiscal year 2018-2019, in a total cumulative amount not to exceed \$47,400. (POLICE DEPARTMENT)

- AA.** Request permission to waive competitive bidding, since it is advantageous to the City in that this vendor continues to be the only local company that offers all necessities such as police uniforms and equipment all in one place, and increase purchase order #2018-862, issued to Lou's Police Distributors, Inc., for the purchase of police uniforms for new hires and promotions, by an additional amount of \$9,600, for a new total cumulative amount not to exceed \$92,600. (POLICE DEPARTMENT)
- BB.** Request permission to utilize Term Contract No. Y13-1056-JS - Fire Apparatus, a competitively bid governmental contract between Orange County and Hall-Mark Fire Apparatus, and issue a purchase order to REV RTC, Inc., d/b/a, Hall-Mark RTC, for the purchase of one (1) 2013 (Demo) Horton Rescue Transport Apparatus, in a total cumulative amount not to exceed \$324,649. (FIRE DEPARTMENT)
- CC.** Request permission to utilize General Services Administration Contract No. GS-07F-169DA – *Law Enforcement & Security*, effective through August 22, 2021, and issue a purchase order to Lenco Industries, Inc., for the purchase of one (1) Lenco BearCat Armored vehicle to enhance detection and tactical equipment delivery capabilities resulting in safer civilian and officer rescues, in a total cumulative amount not to exceed \$240,744. (POLICE DEPARTMENT)
- DD.** Request permission to enter into a one (1) year agreement with Allegro Music Academy, Inc., with Allegro Music Academy agreeing to provide music education through the Cultural Arts Program at City owned recreation centers located at Goodlet Park located at 4200 West 8th Avenue and Wilde Community Center located at 1701 West 53rd Terrace, with all fees collected for the program being split with the City collecting twenty percent and Allegro Music Academy collecting eighty percent. (DEPARTMENT OF PARKS AND RECREATION)
- EE.** Request from the Home Depot Store # 6378, for a Christmas Tree Sales Permit, with set up taking place on November 14, 2018 and take down on December 30, 2018, and with sales scheduled to take place from November 25, 2018 through December 25, 2018, to be located at the Home Depot store located at 950 Southeast 12th Street, Hialeah, FL, subject to recommendations from the Fire Department. (OFFICE OF THE CITY CLERK)
- FF.** Request from the Home Depot Store # 202, for a Christmas Tree Sales Permit, with set up taking place on November 14, 2018 and take down on December 30, 2018, and with sales scheduled to take place from November 25, 2018 through December 25, 2018, to be located at the Home Depot store located at 1590 West 49th Street, Hialeah, FL, subject to recommendations from the Fire Department. (OFFICE OF THE CITY CLERK)
- GG.** Request from Santa Barbara Catholic Church, located at 6801 West 30th Avenue, Hialeah, Florida, for a permit to host a carnival on church grounds from Thursday, November 29, 2018 through Sunday, December 2, 2018, subject to recommendations from the Police Department and Fire Department. (OFFICE OF THE CITY CLERK)

5. ADMINISTRATIVE ITEMS

- 5A.** Second reading and public hearing of proposed ordinance releasing and vacating the right of way at 7615 West 8 Avenue, Hialeah Florida that traverses land bounded on the north by West 77 Street and on the south by West 76 Street, legally described as a portion of West 76 Street, lying southerly and adjacent to Lot 2, Block 1, Kelly's Oaks, according to the plat thereof, as recorded in Plat Book 106 at Page 61, of the public records of Miami-Dade County, Florida, located within Section 25, Township 52 South, Range 40 East, Miami-Dade County, Florida, consisting of approximately 4301 square feet; as depicted in Exhibit "1", reserving unto the City a 10 foot wide utility easement of approximately 1,189 square feet legally described as the south 10.00 feet along the West 76 Street, lying southerly and adjacent to Lot 2, Block 1, Kelly's Oaks, according to the plat thereof, as recorded in Plat Book 106 at Page 61, of the public records of Miami-Dade County, Florida, located within Section 25, Township 52 South, Range 40 East, Miami-Dade County, Florida, as depicted in Exhibit "2"; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violations hereof; providing for a severability clause; and providing for an effective date. (ADMINISTRATION)

Item was approved on first reading by the City Council on October 23, 2018.

- 5B.** Second reading and public hearing of proposed ordinance amending Chapter 2, "Administration", Article II, entitled "Departments, Offices and Divisions", to elevate the Divisions of Retirement and Library to departments, by amending Division 8. "Finance Department", Section 2-237 "Finance Director" to remove retirement from the administrative responsibilities of the Director of Finance; deleting Section 2-238 "Retirement Division" and creating a new Division 19. entitled "Department of Retirement", adding Section 2-538 "Created" and Section 2-539 "Retirement Director"; amending Division 13. "Education and Community Services Department", amending Section 2-417 "Director of Education and Community Services" to remove operation of the library system from the administrative responsibilities of the Director of Education and Community Services, deleting Section 2-418 "Divisions", and creating a new Division 20. entitled "Department of Public Libraries" adding Section 2-540 "Created", Section 2-541 "Director of Public Libraries"; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for severability; providing for inclusion in code; and providing for an effective date. (ADMINISTRATION)

Item was approved on first reading by the City Council on October 23, 2018.

- 5C.** First reading of proposed ordinance amending Hialeah, Fla. Ordinance 2017-55 (October 2, 2017) adopting the Operating Budget for fiscal year 2017-2018 to increase appropriations from transfers in and fund balance in the amount of \$50,977 and to approve and ratify all unencumbered appropriation balance transfers within an office or department or from one office or department to another for a new year-end Operating Budget in the total amount of \$144,150,977; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violations hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET)

- 5D.** First reading of proposed ordinance amending Hialeah, Fla. Ordinance 2017-56 (October 2,

2017) adopting the Special Revenue Funds Budget for fiscal year 2017-2018, to approve and ratify supplemental appropriations in the amount of \$7,959,477 and to approve and ratify all unencumbered appropriation balance transfers for a new year-end Special Revenue Funds Budget in the total amount of \$29,721,977; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET)

- 5E.** First reading of proposed ordinance amending Hialeah, Fla. Ordinance 2017-57 (October 2, 2017) adopting the Debt Service Fund Budget for fiscal year 2017-2018 to approve and ratify supplemental appropriation in the amount of \$423,840 and to approve and ratify all unencumbered appropriation balance transfers for a new year-end Debt Service Budget in the total amount of \$7,723,640; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET)
- 5F.** First reading of proposed ordinance amending Hialeah, Fla. Ordinance 2017-58 (October 2, 2017) adopting the Capital Projects Fund Budget for fiscal year 2017-2018 to approve and ratify supplemental appropriations in the amount of \$1,942,958 and to approved and ratify all unencumbered appropriation balance transfers within an office or department or from one office or department to another for a new year-end Capital Projects Fund Budget in the total amount of \$6,198,958; repealing all ordinances or parts of ordinances in conflict herewith; providing for a penalty for violation hereof; providing for a severability clause; and providing for an effective date. (OFFICE OF MANAGEMENT AND BUDGET)
- 5G.** First reading of proposed ordinance amending Hialeah, Fla. Ordinance 2017-59 (October 2, 2017) adopting the Street Transportation Fund Budget for fiscal year 2017-2018 to approve supplemental appropriations in the amount of \$430,826 and to approve and ratify all unencumbered appropriation balance transfers within an office or department or from one office or department to another for a new year-end street transportation fund budget in the total amount of \$6,385,726; repealing all ordinances or parts of ordinances in conflict herewith; providing penalty for violation hereof; providing for a severability clause; and providing for an effective date.
- 5H.** First reading of proposed ordinance amending Hialeah, Fla. Ordinance 2017-60 (October 2, 2017) adopting the Stormwater Fund Budget for fiscal year 2017-2018 to approve and ratify supplemental appropriations in the amount of \$81,700 and to approve and ratify all unencumbered appropriation balance transfers within an office or department or from one office or department to another for a new year-end Stormwater Fund Budget in the total amount of \$3,402,500; repealing all ordinances or parts of ordinances in conflict herewith; providing for penalties in violation hereof; providing for a severability clause; and providing for an effective date.
- 5I.** First reading of proposed ordinance amending Hialeah, Fla. Ordinance 2017-61 (October 2, 2017) adopting the public works fund budget for fiscal year 2017-2018 to approve and ratify a reduction in appropriations in the amount of \$9,547,500 and to approve and ratify

all unencumbered appropriation balance transfers within an office or department or from one office or department to another for a new year-end public works fund budget in the total amount of \$110,791,200; repealing all ordinances or parts of ordinances in conflict herewith; providing for a penalty in violation hereof; providing for a severability clause; and providing for an effective date.

- 5J.** First reading of proposed ordinance accepting the Right of Way Deed attached as Exhibit “1” from FDG Countyline, LLC, a Delaware Limited Liability Company, conveying 40 feet rights-of-way along NW 102 Avenue for public highway purposes and all purposes incidental thereto; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.
- 5K.** First reading of proposed ordinance accepting the Right of Way Deed attached as Exhibit “1” from FDG BN Expansion LLC, a Delaware Limited Liability Company, conveying rights-of-way consisting of 40 feet along NW 102 Avenue with an area of approximately 60,627 square feet for public highway purposes and all purposes incidental thereto; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.
- 5L.** First reading of proposed ordinance amending the Code of Ordinances of the City of Hialeah, Chapter 98 Entitled “Zoning”, Article V. Zoning District Regulations, Division 11 Landscaping, Section 98-2233, Waiver of Minimum Landscaping Requirements; Landscape Mitigation, to allow for waivers of the City’s minimum landscaping requirements as may be appropriate; repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for inclusion in code; providing for severability; providing for an effective date. (ZONING DIV.)

6. BOARD APPOINTMENTS

7. UNFINISHED BUSINESS

8. NEW BUSINESS

9. COMMENTS AND QUESTIONS

ZONING

Administration of Oath to all applicants and anyone who will be speaking before the City Council on any Zoning, Land Use or Final Decision Item

Attention Applicants:

- a. Items approved by the City Council are subject to the Mayor's approval or veto. The Mayor may withhold his signature or veto the item. If the Mayor's signature is withheld, the item is not effective until the next regularly scheduled meeting. If the Mayor vetoes the item, the item is rejected unless the Council overrides the veto at the next regular meeting.

PZ 1. Second reading and public hearing of proposed ordinance rezoning from C-2 (Liberal Retail Commercial District) to R-3-4 (Multiple Family District); and granting a variance permit to allow the construction of a multifamily building on a substandard lot with a frontage of 50 feet, where 75 feet are required and a total lot area of 6,628 square feet, where 7,500 square feet is the minimum required; allow a front setback of 10 feet, where 25 feet is the minimum required; allow 5 feet east side setback, where 10 feet is the minimum required; allow 54% lot coverage, where 30% is the maximum allowed; and 26% pervious area, where 30% is the minimum required; all contra to §§ 98-348(a), 98-589, 98-590, 2056(b)(1) and (b)(2). **Property located at 620 West 29 Street, Hialeah, Florida;** repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved by the Planning and Zoning Board on October 10, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Daniel Abreu and Grisel Abreu, 14011 SW 20 Street, Miami, FL 33175.</i>
<i>Item was approved on first reading by the City Council on October 23, 2018.</i>

PZ 2. Second reading and public hearing of proposed ordinance, granting a variance permit to allow a building height of 65 feet, where 45 feet is the maximum allowed, contra to Hialeah Code of Ordinances § 98-1601(d); **property located at 9100 West 40 Avenue Hialeah, Florida.** Property zoned (Industrial District). Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved by the Planning and Zoning Board on October 10, 2018.</i>
<i>Planner's Recommendation: Approval.</i>

<i>Owner of the Property: RELP BLP, LLC <u>and</u> Beacon Logistic Park, LLC, 2020 Salzedo Street, 5th Floor, Coral Gables, FL 33134</i>
<i>Registered Lobbyist: Jose M. Jimenet, 2020 Salzedo Street, 5th Floor, Coral Gables, Florida 33134.</i>
<i>Item was approved on first reading by the City Council on October 23, 2018.</i>

- PZ 3.** Second reading and public hearing of proposed ordinance rezoning property from R-1 (One Family District) to C-1 (Liberal Retail Commercial District) and to P (Parking District); and granting a variance permit to allow a front setback of 4 feet, where 20 feet is the minimum required; and allow 22 parking spaces where 37 parking spaces are required; all contra to Hialeah Code of Ordinances §§ 98-1115, 98-1069(a), and 98-2189(7). **Property zoned R-1 (One Family District) located at 802 and 814 East 24 Street, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved as amended by the City Council on October 9, 2018. (Amended from C-2 to C-1).</i>
<i>Item was approved by the Planning and Zoning Board on September 26, 2018.</i>
<i>Planner's Recommendation: Approve rezoning from R-1 and SUP and R-1 to C-1 and P and approve parking variance with recommended condition.</i>
<i>Owner of the Property: Daniel Abreu (East 8th PT LLC), 14011 SW 20th Street, Miami, Florida 33175.</i>

- PZ 4.** First reading of proposed ordinance rezoning property from RO (Residential Office) to B-1 (Highly Restricted Retail District). **Property located at 610 East 49 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved by the Planning and Zoning Board on October 24, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Star Prop XII, LLC, 3750 West Flagler Street, Miami, Florida 33134.</i>

- PZ 5.** First reading of proposed ordinance rezoning property from M-1 (Industrial District) and A (Agricultural) to C-2 (Liberal Retail Commercial District) and granting a temporary waiver of plat, provided that a final plat is approved within 18 months of approval of this

ordinance pursuant to Land Development Code § 10-4 (c), and granting the following variances specific to each prospective tract to allow for the construction of a new mixed-use development pursuant to the NBD (Neighborhood Business District) regulations, to include 260 residential units and approximately 11,000 square feet of retail; as to prospective tract A comprising approximately 5.02 acres in area- granting a variance permit to allow less than 600 square feet on 18 studio residential units, where 600 square feet is the minimum area allowed and allow less than 850 square feet on 60 residential units, where 850 square feet is the minimum allowed, contra to Hialeah Code of Ordinances § 98-1630.2; granting a variance permit to allow a building mass without a delineated base, middle and cap, where a segmented mass is required, contra to Hialeah Code of Ordinances § 98-1630.3(c); granting a variance permit to allow a building frontage of 71% at the base, where 100% is required, contra to Hialeah Code of Ordinances § 98-1630.3(d); granting a variance permit to allow 89.5 feet front setback, where 10 feet built-to-line is required, contra to Hialeah Code of Ordinances § 98-1630.3(e)(1); granting a variance permit to allow for surface parking along the front setback, where surface parking is not allowed at the front setback, contra to Hialeah Code of Ordinances § 98-1630.3(e)(4); and granting a variance permit to allow 368 parking spaces, where 664 parking spaces are required, contra to Hialeah Code of Ordinances § 98-2189 (16)a. and b.; as to prospective tract B comprising approximately 2.01 acres in area- granting a variance permit to allow 7.6 feet front setback for a proposed two story commercial building, where 20 feet is the minimum required, contra to Hialeah Code of Ordinances §§ 98-1115 and 98-1069(a); as to prospective tract C comprising approximately 1.26 acres in area- granting a variance permit to allow approximately 1.5 feet landscape buffer for a distance of 200 feet along West 29th Street, where 7 feet is the minimum required, contra to the latest edition of the Hialeah Landscape Manual dated July 9, 2015 paragraph D(7); and as to prospective tract D comprising approximately .61 acres in area – granting a variance permit to allow 22 parking spaces, where 25 parking spaces are required, contra Hialeah Code of Ordinances § 98-2189 (7) and (10) for the construction of a commercial development consistent with the C-2 (Liberal Retail Commercial District) regulations;. **Property located at 2901 West 16 Avenue, Hialeah, Florida.** Zoned M-1 (Industrial District); repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved by the Planning and Zoning Board on October 24, 2018.</i>
<i>Planner's Recommendation: Approval with conditions.</i>
<i>Owners of the Property: See attached Exhibit "B".</i>
<i>Registered Lobbyist: Javier Vasquez, 1450 Brickell Avenue, Miami, Florida 33131.</i>

PZ 6. First reading of proposed ordinance rezoning property from C-2 (Liberal Retail Commercial District) to TOD (Transit Oriented Development); and granting a variance permit to allow 10 stories, where 8 stories is the maximum allowed contra to Hialeah Code of Ordinances §§ 98-1544(c)(2) and 98-1544(d). **Property located at 1033 East 25 Street, Hialeah, Florida.** Repealing all ordinances or parts of ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved by the Planning and Zoning Board on October 24, 2018.</i>
<i>Planner's Recommendation: Approval.</i>
<i>Owner of the Property: Center State Pointe LLC., 1035 East 25th Street, Hialeah, Florida.</i>
<i>Registered Lobbyist: Jorge L. Navarro, 333 SE 2nd Avenue, 44th Floor, Miami, Florida 33131.</i>

- PZ 7.** First reading of proposed ordinance granting a variance permit to allow a building height of approximately 54 feet, where 35 feet is the maximum allowed; contra to Hialeah Code of Ordinances § 98-1375(a). Property zoned M-1 (Industrial District). **Property located at 725 South East 9 Court, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved by the Planning and Zoning Board on October 24, 2018.</i>
<i>Planner's Recommendation: Approval with Declaration of Restrictive Covenants as proffered.</i>
<i>Owner of the Property: Columbia Florida 9th Industrial, LLC, 120 N. LaSalle Street, Suite 2900, Chicago, IL 60602.</i>
<i>Registered Lobbyist: Maritza Haro, 200 South Biscayne Boulevard, Suite 850, Miami, Florida 33131.</i>

- PZ 8.** First reading of proposed ordinance granting a variance permit to allow 4 on-site parking spaces, where 12 parking spaces are required, contra to Hialeah Code of Ordinances §98-2189 (15) and (7); and waiving the minimum landscape requirements of the latest edition of the Hialeah Landscape Manual dated July 9, 2015, paragraphs (E) Table A and Section G. Property zoned M-2 (Industrial District). **Property located at 2205 West 9 Avenue, Hialeah, Florida.** Repealing all ordinances in conflict herewith; providing penalties for violation hereof; providing for a severability clause; and providing for an effective date.

<i>Item was approved by the Planning and Zoning Board on October 24, 2018.</i>
<i>Planner's Recommendation: Approve with conditions.</i>
<i>Owner of the Property: Daniele Facciuto (DANVA Construction Services, Inc., 2205 West 9th Avenue, Hialeah, Florida 33010.</i>

NEXT CITY COUNCIL MEETING: Tuesday, November 27, 2018 at 7:00 p.m.

NEXT CHARTER SCHOOL OVERSIGHT COMMITTEE MEETING: Tuesday, November 27, 2018 at 6:30 p.m.

Anyone wishing to obtain a copy of an agenda item should contact the Office of the City Clerk at (305) 883-5820 or visit at 501 Palm Avenue, 3rd Floor, Hialeah, Florida, between the hours of 8:30 a.m. and 5:00 p.m.

Persons wishing to appeal any decision made by the City Council, with respect to any matter considered at the meeting, will need a record of the proceedings and, for such purposes, may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

An ordinance or resolution shall become effective when passed by the City Council and signed by the Mayor or at the next regularly scheduled City Council meeting, if the Mayor's signature is withheld or if the City Council overrides the Mayor's veto. If the Mayor's veto is sustained, the affected ordinance or resolution does not become law and is deemed null and void.

In accordance with the Americans with Disabilities Act of 1990, persons needing special accommodations to participate in the proceeding should contact the Office of the City Clerk at (305) 883-5820 for assistance no later than seven (7) days prior to the proceeding; if hearing impaired you may telephone the Florida Relay Service at (800) 955-8771 (TDD), (877) 955-8773 (Spanish) or (800) 955-8770 (Voice).